IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR BILAL NAZKI,

THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 7033 of 2004

Between:

B.Pardhasaradhi S/o Late B.V.Appa Rao
Dr. 6-130, Sri Nilayam, Priya Gardens, Simhachalam, Visakhapatnam

..... PETITIONER

AND

1 The Superintendent King George Hospital
Visakhapatnam
2 The District Medical Edcations
Govt of AP. Hyderabad
3 The Principal Secretary, To Govt.AP., Department
Medical , Helath and Family Welfare
Secretariat buildings, Saifabad, Hyd

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying

that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus" declaring the action of the respondents is not taking any steps to re-start the pharmacy unit of king George Hospital, Visakhpatnam the stopping of which is resulting in loss of lakhs of rupees to the exchequer every year and in supply of unsafe. I.V. Fluids to the patient public and in spite of the fact that the staff of the pharmacy unit are kept idle as illegal, arbitrary, unjust, and is disregard to the public safety and Government finances and consequently direct the respondents to re-start the pharmacy unit and to utilise the services of the staff for the purpose they are intended and to pass

Counsel for the Petitioner:MR.K.SARVA BHOUMA RAO

Counsel for the Respondent No.: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court made the following :

O R D E R (Per Hon'ble Mr. Bilal Nazki, the Acting Chief Justice)

Heard the leaned counsel for the parties.

2. The petitioner has been the Chief Chemist in King George Hospital, Visakhapatnam and is retired. Pharmaceutical unit has been established in King George Hospital in 1965, which was mainly producing normal saline, dextrose and water for injection. Now this unit is not working and the petitioner wants this unit to work again.

3. Counters have been filed.

4. The main contention of the respondents is that it is not possible to run the pharmaceutical unit in the college at present, as it incur much expenditure and the license has not been renewed by the Drugs Inspector, as the Drug Inspector wanted upgradation of the unit. Upgradation of the unit would involve heavy expenditure, including construction of new buildings. Since it is for the Government to decide whether the hospital should also run a pharmaceutical unit or not and is a matter of policy for the state Government, we do not think that this Court would be in a position to interfere in the matter. Since the Government feels that the hospital would not be in a position to run the pharmaceutical unit and they have already utilized the staff, which was appointed for the unit, we do not think that this court can pass directions to the Hospital to revive the unit and start production of drugs. The writ petition is misconceived and is dismissed. No costs.

BILAL NAZKI, HACJ

G.CHANDRAIAH,J

AVS

DATE:07.06.2005

..... REGISTRAR

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SECTION OFFICER

To

1 The Superintendent King George Hospital
Visakhapatnam
2 The Medical Educations, Director
Govt of AP. Hyderabad
3 The Principal Secretary, To Govt.AP., Department
Medical , Helath and Family Welfare
Secretariat buildings, Saifabad, Hyd

4. 2 CCs. to GP FOR MEDICAL HEALTH &

FAMI.WELFARE, High Court of A.P. Buildings (OUT).

5) 2 CD copies

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